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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luscombe, G.P. et al. Attorney Docket: 2544/112  
Serial No.: 10/019,921 Art Unit: 1624  
Filing Date: May 6, 2002 Examiner: Habte, Kahsay  
Invention: Therapeutic Agents Date: October 20, 2003

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 20, 2003.

Charlton Shen

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ELECTION

Dear Sir:

In response to the office action mailed July 18, 2003 regarding restriction of the pending claims, the Applicants elect Group VI, the election "drawn to benzodioxan compounds (A=B=O) and T = phenyl," and made without traverse. The election reads, in part, on pending claims 1-22. With regard to the species election requested by the Examiner, the Applicants elect any individual enantiomer, racemate, or mixture of

enantiomers within the specie N-(7-Chloro-1, 4-benzodioxan-2-ylmethyl)-1-[1-(2-methoxyphenyl)piperid-4yl]methylamine, as disclosed in claims 12 and 17.

Examination, on the merits, of the pending claims, and their allowance, are now respectfully requested.

Respectfully submitted,



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Practitioner's Docket N . 2544/112

1624 \$  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Graham Paul Luscombe, Lesley Patricia Needham

Application No.: 10/019,921  
Filed: 10/20/2003  
For: Therapeutic Agents

Group No.: 1624  
Examiner: Habte, Kahsay

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months through Saturday, October 18, 2003:

Fee: \$420.00

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. § 1.8(a)**  
[x] with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***  
 as "Express Mail Post Office to Addressee"  
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TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_.



Signature

Date: October 20, 2003

Charlton Shen

*(type or print name of person certifying)*

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	OTHER THAN A SMALL ENTITY		
<b>TOTAL</b>	40	—	40	=	0 x \$ 18.00 = \$ 0.00
INDEP.	3	—	3	=	0 x \$ 86.00 = \$ 0.00
<b>FIRST PRESENTATION OF MULTIPLE DEP. CLAIM</b>				<b>+</b> \$ 0.00	= \$ 0.00
				<b>TOTAL ADDIT. FEE</b>	<b>\$ 0.00</b>

No additional fee for claims is required.

## FEE PAYMENT

5. Attached is a check in the sum of \$420.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

## FEE DEFICIENCY

6. An additional extension and/or fee is required, charge Account No. 19-4972.

An additional fee for claims is required, charge Account No. 19-4972.

Date: October 20, 2003



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